

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

LINDSAY LOHAN,

CASE NO.: 2:11-cv-05413-DRH-ARL

Plaintiff,

vs.

ARMANDO CHRISTIAN PEREZ *p/k/a* PITBULL,
SHAFFER CHIMERE SMITH, JR., *p/k/a* NE-YO, NICK
VAN DE WALL *p/k/a* AFROJACK, J RECORDS, SONY
MUSIC ENTERTAINMENT, SONY MUSIC HOLDINGS
INC., RCA MUSIC GROUP, POLO GROUNDS MUSIC,
POLO GROUNDS MUSIC PUBLISHING, INC., POLO
GROUNDS MUSIC, INC., MR. 305, INC., MR. 305
ENTERPRISE, INC., and JOE JOHN AND JANE JOHN,
1 THROUGH X,

Defendants.

DECLARATION OF AUDREY PUMARIEGA

I, Audrey Pumariaga, under the penalty of perjury, swear pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am a associate at the law firm of Kasowitz Benson Torres & Friedman, LLP and represent Defendants Armando Christian Perez *p/k/a* Pitbull, Shaffer Chimere Smith, Jr. *p/k/a* Ne-Yo, Nick Van De Wall *p/k/a* Afrojack, J Records, Sony Music Entertainment, Sony Music Holdings, Inc., RCA Music Group, Polo Grounds Music, Polo Grounds Music Publishing, Inc. and Polo Grounds Music, Inc.'s (collectively, "Defendants"). I am a member of the Florida Bar in good standing since 2010 and will seek *pro hac vice* admission to appear before this Court.

2. I respectfully submit this declaration in connection with Defendants' Reply in Support of Motion to Dismiss Plaintiff Lindsay Lohan's Verified Complaint ("Reply"), which is

submitted concurrently herewith. I am fully familiar with the facts and circumstances stated herein.

3. In preparing to file Defendants' Reply, counsel for Defendants realized that we did not include a Table of Contents and Table of Authorities when we served Defendants' Memorandum of Law in Support of Motion to Dismiss Plaintiff Lindsay Lohan's Verified Complaint ("Memorandum") on January 17, 2012. *See* Individual Practice Rule 3(E).

4. Similarly, we noted that counsel for Plaintiff did not include a Table of Contents and Table of Authorities when they previously served Plaintiff's Memorandum of Law in Opposition to Defendants' Motion to Dismiss the Complaint ("Opposition").

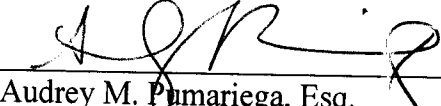
5. Accordingly, counsel for Defendants created a Table of Contents and Table of Authorities and sent it to counsel for Plaintiff on March 9, 2012, advising that we intended to file the Table of Contents and Table of Authority along with Defendants' Memorandum on Monday, March 12, 2012, and requesting that counsel for Plaintiff provide a Table of Contents and Table of Authority for their Opposition, if they wished to submit one.

6. Counsel for Defendants received Plaintiff's Table of Contents and Table of Authorities on March 12, 2012.

7. For the Court's ease of reference, we have affixed the respective Tables of Contents and Tables of Authorities to Defendants' as-served Memorandum and Plaintiff's as-served Opposition, along with a cover sheet.

Audrey M. Pumariega
Printed Name

March 12, 2012
Date of Declaration/Execution


Audrey M. Pumariega, Esq.
Kasowitz Benson Torres & Friedman
1441 Brickell Avenue Suite 1420
Miami, Florida 33131